

Applicant : David Hawley et al.  
Serial No. : 10/729,228  
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Attorney's Docket No.: 16105-002US3/2000P00003WO US02

## REMARKS

In the non-final action mailed January 25, 2007, all pending claims 1-14 stand rejected. Applicants have amended above claims 8 and 9, and submit herewith a terminal disclaimer. Claims 1-14 remain pending. Applicants request reconsideration in view of amendments above, the terminal disclaimer, and the following remarks.

### **Claim Rejections – 35 USC 101**

Applicants have amended claim 8 to recite a computer-readable memory medium, and believe that addresses the Examiner's concerns. As such, Applicants request that the Section 101 rejection of claim 8 be withdrawn.

### **Double Patenting**

Applicants submit herewith a terminal disclaimer directed to co-pending Application No. 10/646,428, and request that the provisional double-patenting rejection be withdrawn.

### **Claim Rejections – 35 USC 102**

Applicants have amended independent claim 9 to parallel independent claims 1 and 8, and submit that claim 9 is patentable over the cited art for the same reasons claims 1 and 8 are patentable. As such, Applicants request that the anticipation rejection of claims 9-14 be withdrawn.

### **Conclusion**

Applicants submit that all pending claims 1-14 are in condition for allowance and request that the Examiner issue a notice of allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or

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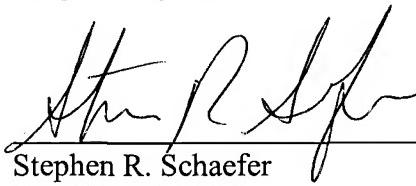
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other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Examiner is authorized to charge deposit account 06-1050 \$130 for the Terminal Disclaimer fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: Jan. 31, 2008

  
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